

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. CR-18-227-SLP
)	
JOSEPH MALDONADO-PASSAGE,)	
)	
Defendant.)	

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE DEFENDANT'S SENTENCING MEMORANDUM**

Counsel for defendant, Joseph Maldonado-Passage, move the Court to extend the date to file defendant's sentencing memorandum. The government does not oppose this motion.

In support of this request, counsel states:

1) The final Presentence Report was filed October 1, 2019. In accordance with Fed.R.Crim.P. 32.2, defendant's sentencing memorandum must be filed within 14 days after receipt of the final presentence report. The sentencing memorandum is due October 15, 2019. William P. Earley, Assistant Federal Public Defender, is responsible for the completion of a sentencing memorandum in this case;

2) No previous extensions of time have been requested to file defendant's sentencing memorandum;

3) William P. Earley is co-counsel in the case of *United States v. Terrence Hill*, CR-19-32-D (W.D. of Okla.). The *Hill* case proceeded to jury trial beginning October 8, 2019, and was submitted to the jury for deliberations October 10, 2019. Counsel has also

been finalizing Appellant's opening brief in *United States v. Rogers*, Tenth Circuit Case Number 19-6083. Appellant's opening brief will be filed October 10, 2019;

4) In addition to the referenced matters, after disclosure of the final Presentence Report in the instant case counsel was appointed in several new felony cases and had to meet prior deadlines to submit Presentence Report objections and sentencing memoranda in other cases;

5) The revisions to the initial Presentence Report in this case have resulted in a twenty-four page Addendum to the report. Due to matters in the other cases referenced above, counsel has not had an opportunity to review the revised report with Mr. Maldonado-Passage or review a preliminary draft of a sentencing memorandum with him;

6) This case is complex and involves a significant amount of discovery. As the final Presentence Report reflects, several issues remain unresolved and require substantive briefing. Counsel intends to review the sentencing memorandum with Mr. Maldonado-Passage prior to filing to ensure the issues are narrowed properly and briefed thoroughly for the Court's consideration;

7) Counsel is requesting the date for filing the sentencing memorandum be extended one week, to October 22, 2019;

8) Amanda Green, Assistant United States Attorney, advised the government does not oppose the request for an extension of time.

Based on the preceding, counsel requests the deadline to submit Mr. Maldonado-Passage's sentencing memorandum be extended to October 22, 2019.

Respectfully submitted,

s/ William P. Earley

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CERTIFICATE OF SERVICE

I hereby certify that on this the 10th day of October, 2019, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic filing to the following ECF registrants: Amanda Green and Charles Brown, Assistant United States Attorneys.

s/ William P. Earley

WILLIAM P. EARLEY